

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 19, 2022**

SEAN F. McAVOY, CLERK

JEREMY PATRICK M.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:22-cv-03024-LRS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand, ECF No. 13. Based on the stipulation of the parties, the Court finds good cause to grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

**ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 13** is **GRANTED**.
2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
3. Upon remand, the Appeals Council shall assign this case to a different ALJ and instruct the ALJ to: (1) reevaluate the opinion evidence of record; (2)

---

<sup>1</sup> The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).


reevaluate the claimant's alleged symptoms; (3) reevaluate the claimant's maximum residual functional capacity; (4) if warranted by the expanded record, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on the claimant's ability to perform other work in the national economy; and (5) offer the claimant the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's Motion for Summary Judgment, **ECF No. 10**, and the hearing and remaining briefing schedule are **VACATED** as moot.

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

**DATED** September 19, 2022.

  
\_\_\_\_\_  
LANNY R. SUKO  
Senior United States District Judge